



WEB COPY



Tr.CMP.No.1165 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.1165 of 2023

and

C.M.P.No.27899 of 2023

T.Deepa

.. Petitioner

Vs.

B.Bharat Kumar

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in H.M.O.P.No.391 of 2023 on the file of the Principal Family Court at Coimbatore District and transfer the same to the file of the Sub Court at Pollachi to be tried along with H.M.O.P.No.49 of 2023.

For Petitioner : Mr.C.Veera Raghavan

For Respondent : Served, No Appearance

ORDER

The petitioner and the respondent entered into matrimony on 08.11.2021. From the wedlock, a male child was born on 21.11.2022. The child is now under the custody of the mother.



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2. Due to differences that have arisen between the parties, the petitioner/wife is currently residing at Pollachi. She would state that as she is unable to maintain herself and the two year old child, she has initiated proceeding in D.V.A.No.6 of 2023 on the file of the Judicial Magistrate – II at Pollachi.

3. In the meantime, the husband has initiated proceeding in H.M.O.P.No.391 of 2023 on the file of the Principal Family Court at Coimbatore. Pleading inability to travel from Pollachi to Coimbatore for the Court hearings, the petitioner/wife has moved this transfer petition.

4. Notice was served to the respondent on 25.05.2024. In order to give a breathing time for the respondent to engage a counsel, I have adjourned this matter on 14.06.2024. Even today, there is no appearance on behalf of the respondent.

5. Taking into consideration the convenience of the wife and the fact that the petitioner/wife is taking care of a toddler, I am inclined to allow this transfer petition. Hence, the proceeding in H.M.O.P.No.391 of 2023



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pending on the file of the Principal Family Court at Coimbatore District is withdrawn and it shall stand transferred to the file of the Sub Court at Pollachi to be heard along with H.M.O.P.No.49 of 2023.

6. Accordingly, the Transfer Civil Miscellaneous Petition stands allowed. No costs. The connected Civil Miscellaneous Petition is closed.

14.06.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

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To

1.The Principal Family Court,
Coimbatore District

2.The Sub Court,
Pollachi

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and

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